

AUSA ERIC H. SCHENKIER 353-1412

FILED

UNITED STATES DISTRICT COURT

OCT 06 2000

NORTHERN

DISTRICT OF

ILLINOIS

EASTERN DIVISION

UNITED STATES OF AMERICA
V.

MAGISTRATE JUDGE SIDNEY I. SCHENKIER

MICHAEL W. DOBBINS, CLERK
UNITED STATES DISTRICT COURT

CRIMINAL COMPLAINT

JOE TROST

CASE NUMBER:

00CR0822

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 5, 2000 in Cook County, in the Northern District of Illinois defendant did,

travel in interstate commerce for the purpose of engaging in a sexual act with a person under 18 years of age

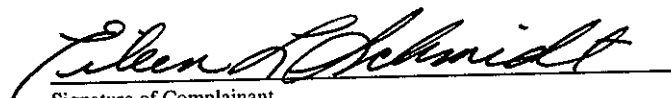
in violation of Title 18 United States Code, Section 2423(b)

I further state that I am a Special Agent with the Federal Bureau of Investigations and that this complaint is based on the following facts:

See attached affidavit.

DOCKETED
OCT 10 2000

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

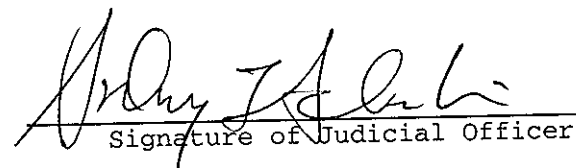

Signature of Complainant
Eileen Schmidt, Special Agent,
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

October 6, 2000
Date

Chicago, Illinois
City, State

SIDNEY I. SCHENKIER, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

I, Eileen L. Schmidt, being duly sworn upon oath, depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation and have been so employed for the past 18 years. I am assigned to the investigation of violent crimes, including child pornography and crimes against children.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of the attached complaint and therefore contains only a summary of the relevant facts. Affiant has not included each and every fact known to the affiant concerning the individuals and events described herein.

3. This affidavit is made in support of a criminal complaint against Joseph Trost charging him with traveling in interstate commerce with intent to engage in a sexual act with a juvenile in violation of Title 18 U.S.C. Section 2423(b).

4. I make this affidavit in part from personal knowledge based on my participation in this investigation, including witness interviews and my review of documents, visual images, and computer records; communications with others who have personal knowledge of the events and circumstances described herein; and information gained through my training and experience.

Minor #1

5. On 1/5/00, an individual using the screen name of "Ninskier" sent an e-mail to an undercover police officer, who was posing as a fourteen year old girl on the Internet using the screen name of "Chitwnkelli11385". The e-mail asked if Chiwkelli11385 liked older guys. Chiwnkelli11385 responded to the e-mail by advising she was 14 years old, liked older guys, and asked how old he was.

6. On 1/15/00, an e-mail from Ninskier to Chitwnkelli11385 advised that he is 27 years old.

7. On 1/30/00, Ninskier advised Citwnkelli11385, via e-mail, that he had located her in the member directory. He told her that he lived in Nebraska and loved to travel.

8. On 3/10/00, Ninskier and Chitwnkelli11385 had a conversation on the Internet. During the conversation, Ninskier sent a picture of himself to Chitwnkelli11385 via an e-mail. (This photo was later identified as defendant Joe Trost.) Ninskier stated that he would like to travel to Orland Park, Illinois to visit Chitwnkelli11385 and have sex with her. Ninskier advised Chitwnkelli11385 that the youngest girl that he has had sex with was sixteen years old. Ninskier stated "i will drive and see you at orland square-feel your stomach-and your back-undo your bra-where would you like to do it-put my thing inside you-my hard thing."

Minor #2

9. On 4/17/00, an individual using the screen name of Ninskier sent an e-mail to the same undercover police officer, who was posing as another fourteen year old girl on the Internet using the screen name of "Immary11385". The e-mail from Ninskier asked "how old do you like your guys?" Immary11385 responded, "I do like older guys!! How old are you?" Ninskier responded that he was 27 years old, from Iowa and lived in Omaha, Nebraska. Immary11385 responded that she was 14 years old and lived on the south side of Chicago.

Minor #3

10. On 8/1/00, the same undercover police officer, who was posing as another fourteen year old girl on the Internet using the screen name of "Immewgr11385" while on the Internet, received an instant message from an individual using the screen name of Ninskier. Ninskier identified himself as "Joe," and during the conversation advised that he liked young girls because of their energy and thin bodies. Immewgr11385 advised Ninskier that her name was Kim. "Joe" then asked to speak to Kim on the telephone. Joe and Kim engaged in a conversation that

became sexually graphic. During the conversation with Kim, Ninskier e-mailed Immewgr11385 a picture of himself (again, a photo later identified as defendant Joe Trost). The picture received by Immewgr11385 matched the picture received by Chitwnkelli11385 on 3/10/00.

11. On 8/2/00, Ninskier contacted Kim on the Internet and another conversation ensued. During the conversation on the Internet, Ninskier advised that "i am a little afraid cause i could go to jail for this--because your under 18". Ninskier stated that he will be gentle and that he will use condoms for protection.

12. On 8/2/00, Ninskier telephoned Kim and stated that it was Joe. He advised that he was on vacation the week of 8/14/00 and wanted to visit Kim during that week. Kim advised that she would be visiting her grandmother and wouldn't be at home that week. Joe advised that he would still drive out to Chicago as a "dry run" on the 14th to get familiar with the area. Joe stated that he had met other girls on the Internet and had driven to a mall in Omaha to meet two sixteen-year old girls but they had stood him up. Joe stated that he would use a condom with Kim so that she wouldn't become pregnant because he's not ready for kids.

13. On 8/4/00, Ninskier and Kim had another conversation on the Internet. Ninskier advised that he wanted to travel to Orland Park to see Kim on the 30th of August, 2000. He asked Kim whether she wanted to "go back to my motel--or do you wanna do something besides get naked?" Ninskier stated "i would like you to take your hand and stroke me--and i would spread you open and massage your pssy--would you put your mouth on me--you suck me for awhile--then right before i come--i would slide it into you--and pull it out slowly--i would put it right back in and thrust it back and forth--if it hurts i will stop."

14. On 8/7/00, Ninskier sent an e-mail to Kim advising that he was still coming to see her and that he had found the Essence Suites near the Orland Park shopping center and thought

that he would stay there during the weekend of the 1st of September.

15. On 8/10/00, Ninskier contacted Kim on the Internet and advised that he would be leaving on the 30th of August for Orland Park and would be staying at the Essence Suites. He stated that he was a "good 7 hours" away from Kim. Ninskier further stated, "i will wanna use a whole box of protection on you".

16. On 8/15/00, billing information received from America On Line revealed that the screen name Ninskier is used by Joe Trost, 9755 Q Street, Box 166, Omaha, Nebraska.

17. On 8/28/00, a check of public records revealed a Joe Trost, date of birth 12/18/72, with the address of 9755 Q Street, Box 166, Omaha, Nebraska and a current address of 420 North 40th Street, Omaha, Nebraska. A social security number listed for Trost was issued in the state of Iowa.

18. On 8/28/00, Trost again contacted Kim on the Internet and advised that he was having second thoughts about coming to see her. He stated that "i wanna meet you its just that i feel like i barely know you i would like to get to know you better before i come visit you". Later in the conversation Trost advised that he had a disease of the prostate that has been bothering him all summer. He further stated that he would visit Kim on the 5th of October. Trost advised "i guess i don't quite trust you yet if we did it you and you complained i would go to jail-thats one of the reasons i wasnt ready to go see you yet-I would go to jail for 3 to 5 years."

19. On 9/15/00, Trost contacted Kim on the Internet and advised that he will be traveling on October 5th to Orland Park, Illinois and would be staying at the Comfort Inn. Trost stated "i wanna rub your belly and your thighs and kiss your neck and com inside you ooops i mean the condom".

20. On 9/29/00, Trost telephoned Kim and advised that he had already made a

reservation at the Comfort Inn in Orland Hills for the arrival date of October 5 at approximately 12:00 P.M. and a departure date of October 8. Trost stated that he was going to make a car rental reservation early next week. Trost advised that he was taking medication for his genital ailment but that would not cause a problem because he feels better when he is aroused. Trost stated that he would buy raspberry wine coolers for Kim and would have them at the hotel for her.

21. On 10/4/00, Trost had another conversation with Kim on the Internet. He advised that he had rented a car and would be leaving at 3:00 A.M. to drive to the Comfort Inn located in Orland Hills, Illinois. Trost stated that he was excited and couldn't sleep. Trost advised that he would telephone Kim when he arrived at the hotel and would give her the room number he was staying in.


22. On 10/5/00, Trost telephoned Kim at approximately 12:30 A.M. and stated that he was in room 312 at the Comfort Inn and would wait in the room for Kim's arrival.

23. On 10/5/00, Trost was arrested by law enforcement officers at room 312 of the Comfort Inn in Orland Hills, Illinois. Trost possessed a box of 12 condoms and carried 3 condoms in his coat pocket. Trost was advised of his Miranda Rights and signed a Waiver of Rights Form.

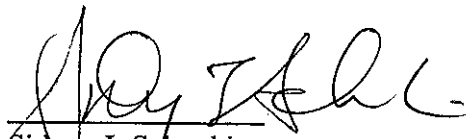
24. Trost advised law enforcement officers that, on October 4, 2000, he had rented a car to travel to Orland Park, Illinois and had purchased condoms to use when he had sex with Kim. Trost further stated that on October 5, 2000, at approximately 2:30 A.M., he left his residence and traveled to the Comfort Inn located in Orland Hills, Illinois to meet with Kim to have sex with her. Finally, Trost advised that this was not the first time he had contacted minor females on the Internet to talk with them about traveling to have sex with them. Specifically, Trost acknowledged that he spoken to an eleven year old in California, two fourteen year old girls in

Omaha, Nebraska, and a 15 year old in Tennessee and talked about sex and Trost traveling to have sex with them. Additionally, Trost purchased a greyhound bus ticket to go to see the 15 year old minor in Tennessee, but canceled the ticket after she decided not to met him.

25. Based on the foregoing, I believe there exists probable cause to believe that defendant traveled in interstate commerce for the purpose of engaging in a sexual act with a person under 18 years of age in violation of Title 18 U.S.C. § 2423(b).


Eileen L. Schmidt, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence
this 6th day of October, 2000.


Sidney I. Schenkier
United States Magistrate Judge